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T-841 P 013/013 F-573

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PTO/SB/26 (08-04) (AW 10/2004)

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**TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**
Docket Number (Optional)
MTS-082US1In re Application of: **Hiroyoshi KOMOBUCHI, et al.**Application No.: **10/044,258**Filed: **January 10, 2002**For: **SOLID STATE IMAGE PICKUP DEVICE AND ITS DRIVING METHOD USING TWO
DIFFERENT PERIODS**

The owner, **Matsushita Electric Industrial Co., Ltd.**, of **100%** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term prior patent No. **6,392,700** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims cancelled by a re-examination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by an terminal disclaimer.

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2. The undersigned is an attorney or agent of record. Registration No.: **77-424 BONNER 00000007 10044258**

Daniel N. Calder

Signature

06/01/2005 BONNER

01 FC:1A14

May 31, 2005

130.00 OP

Daniel N. Calder

Typed or printed name_____
(610) 407-0700
Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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